

Remarks

Original claims 1-18 are pending in the above-referenced patent application. No claims have been cancelled. Claims 1, 2, 3, 6, 8, 9, 10, 11, 12, 13, and 17 have been amended. No new matter has been added by the amending of claims.

Drawings

The Examiner has objected to the drawings as being unclear. Assignee has amended Figure 2 to better clarify the drawings and specification. The Assignee thanks the Examiner for pointing this out. A replacement drawing sheet is attached herewith reflecting the clarifications. No new matter has been added by these clarifications.

Claim objections

The Examiner objected to various claims as lacking antecedent basis. The Assignee has amended these claims to better point out the subject matter of the claims. The Assignee thanks the Examiner for pointing this out. Assignee also believes that these changes broaden the claims and therefore no prosecution history estoppel results from them.

Claim rejections – 35 USC §102(e)

The Examiner has rejected claims 1-6, 11-15, 20-21, and 23-27 as being anticipated by Holloway (US Patent Publication Number 2003/0092451 A1, hereinafter "Holloway"). The Assignee respectfully submits the Holloway reference does not anticipate the claims of the Assignee's disclosure.

Beginning with claim 1, Assignee respectfully submits that nowhere does Holloway teach or suggest a proposal of an address of another communication system.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP § 2131.01. Furthermore, the identical invention must be shown in as complete detail as in the . . . claim. MPEP § 2131.01.

-6-

012.P28085

Since Holloway does not teach or suggest "a proposal of an address of said other communication system" Holloway does not anticipate claim 1.

For this reason, the Assignee respectfully submits that Holloway does not anticipate claim 1. The Assignee respectfully submits that independent claim 1, and independent claim 11, which contains the same language, are allowable over Holloway. Furthermore, because dependent claims 2-10, and 12-18, all depend from allowable independent claims, Assignee respectfully submits they are also allowable, and respectfully requests that they be allowed.

35 USC §103(a)

Claims 5 and 15 are rejected over Holloway in view of Lindberg et al. (US Patent Publication Number 2003/0140145 A1, hereinafter "Lindberg"), and claims 10 and 16 are rejected over Holloway in view of Goss et al. (US Patent Publication Number 2003/0137498 A1, hereinafter "Goss"). It is respectfully submitted that the Examiner has not established a *prima facie* case of obviousness. The Examiner is reminded that:

To establish a *prima facie* case of obviousness, three basic criteria must be met. MPEP §2142 and §2143. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the Assignee's disclosure. In re Vaack, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). The initial burden is on the Examiner to provide some suggestion of the desirability of doing what the inventor has done. "To support the conclusion the claimed invention is directed to obvious subject matter, either the references expressly or implicitly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why an artisan would have found the claimed invention to have been obvious in light of the teachings of the references." Ex parte Clapp, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

Specifically, as outlined above, Holloway does not teach or suggest the limitations of independent claim 1 and 11, from which claims 5, 15, 10, and 16 depend.. This deficiency is not

cured by the addition of Lindberg or Goss., as to claims 5, 15, 10, and 16. None of these documents teach or suggest all of the limitations of the independent claims, or dependent claims 5, 15, 10, and 16, namely “a proposal of an address of said other communication system”.

For all of these reasons, the Assignee respectfully submits that the Examiner has not made a *prima facie* case of obviousness. The Assignee respectfully submits claims 5, 15, 10, and 16 are allowable over Holloway in view of Lindberg and Goss. Assignee respectfully submits these claims are allowable, and respectfully requests they be allowed.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

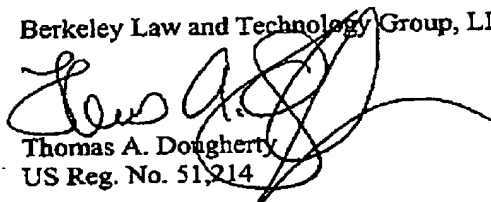
Invitation for a Telephone Interview

The Examiner is invited to call the undersigned attorney, Thomas A. Dougherty, at (720) 840-6162 if there remains any issue with allowance.

Respectfully submitted,

Berkeley Law and Technology Group, LLC

Dated: 11/30/05


Thomas A. Dougherty
US Reg. No. 51,214

1700 NW 167th Place, Suite 240
Beaverton, OR 97006
503.439.6500